WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY	International application No. PCT/CN2005/002232

Box No. I   Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

    ☒   the international application in the language in which it was filed
    ☐   a translation of the international application into _____ , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of :

    a. type of material
        ☐   a sequence listing
        ☐   table(s) related to the sequence listing

    b. format of material
        ☐   on paper
        ☐   in electronic form

    c. time of filing/furnishing
        ☐   contained in the international application as filed
        ☐   filed together with the international application in electronic form
        ☐   furnished subsequently to this Authority for the purposes of search

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Box No. V   Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1.   Statement:

Novelty (N)	Claims	1-20		YES
	Claims			NO
Inventive step (IS)	Claims	4-9,11-12,14-20		YES
	Claims	1-3,10,13		NO
Industrial applicability (IA)	Claims	1-20		YES
	Claims			NO

2. Citations and explanations

(1) Reference is made to the following documents:

    D1:US5524264A   (Sony Corporation, Tokyo, Japan)   4 Jun 1996   (1996-06-04)

    D2:US5642512A   (Matsushita Electric Co., Osaka-fu, Japan)   24 Jun 1997   (1997-06-24)

    D3:EP0363882A2   (NEC CORPORATION)   18 Apr 1990   (1990-04-18)

    D4:JP200470439A   (PANASONIC CORPORATION)   4 Mar 2004   (2004-03-04)

(2) Novelty and Inventive Step:

    The subject matter of claims 1-20 of the present invention is a method of compiling code.

    D1 discloses a parallel arithmetic-logical processing device. The data to be processed is divided into first data and second data by control means and supplied to a plurality of processing units so as to be parallel-processed by the processing unit. These processing units include first storage means and second storage means.

    The subject matter of the present invention and that of the prior art document D1 are considered to be similar in that both relate to a compiling technique .But the claims 1-20 of the present invention relate to the invention based on memory access latency associated with the instructions. It is obvious that not all the technical features in claims 1-20 are disclosed by D1.Therefore,   The claims 1-20 are considered to be novel (PCT Article 33(2)).

    The differnece between the said claims 1-3,10,13 and the said document lies in that the state of the bus strctutre in the said claims is the method based on memory access latency associated with the instructions. However, the said difference is well-known   to the person skilled in in the compiling code field. Accordingly, it would be obvious to a person skilled in the art to derive the invention of claims 1-3,10,13 from the prior art.Therefore, the claims 1-3,10,13 are considered to lack an inventive step(PCT Article 33(3)).

    The claims 4-9,11-12,14-20 are considered to have an inventive step(PCT Article 33(3)) because the document D1 does not disclose partitioning a memory access dependence chain into an upstream stage by assigning a first number of desired upstream nodes to the upstream stage. And further the technical solution in claims 4-9,11-12,14-20 is not obvious to a person skilled on the basis of D1,D2 ,D3 and D4 or their combination. Thus, claims 4-9,11-12,14-20 have inventive step under PCT Article 33(3).

(3). Industrial Applicability:

    Claims 1-20 of the present invention meet the criteria set out in PCT Article33(4) because they are directd to a method of compiling code that includes partitioning instructions in the code among a plurality of processors. Therefore,the claims 1-20 are considered to be industrially applicable.